

LOUISIANA BOARD OF PROFESSIONAL GEOSCIENTISTS

9643 Brookline Ave., Ste. 101, Baton Rouge, LA 70809



REGULAR MEETING OF LBOPG

Tuesday, July 9, 2019, 1:00 P.M.

Louisiana Engineering Society Building Conference Room
9643 Brookline Avenue, Baton Rouge, LA 70809

MINUTES

Chairman William Finley called the meeting to order at 1:02 p.m., Tuesday, July 9, 2019. He commenced roll call.

Present: William Finley, Lloyd Hoover, William Schramm, Melanie Stiegler, and David Williamson, Board Members; Harry Vorhoff, Legal Counsel; Brenda Macon, Executive Secretary; Chantel McCreary, Assistant Executive Secretary

Absent: Elizabeth McDade and L. Todd Perry, Board Members

Guest: Donna Sentell, Executive Director, LAPELS

Quorum established. Roll Call sheet was circulated for signatures. Guest sign-in sheet was also circulated.

Public Comment Period

Finley called for public comments; none were made.

Meeting Minutes

Minutes of the May 14, 2019 meeting were reviewed. Williamson moved to approve the minutes; Stiegler and Schramm simultaneously seconded; the motion passed.

Treasurer's Report

Schramm reported that the board had a total of \$8,319.27 in deposits and \$13,449.59 in expenses in May 2019; and \$8,210.48 in deposits and \$9,507.98 in expenses in June 2019. The June 30 ending balance in the checking account was \$177,688.97, and the ending balance in the savings account was \$50,571.59, for a total cash on hand of \$228,260.56. He reminded board members that this treasurer's report covers the end of the fiscal year and reported that the board had spent less and earned more than had been budgeted for the fiscal year ending June 30, 2019. The board had budgeted \$132,900 for both income and expenses; actual income was \$145,670.28, a difference of \$12,770.28 over budget; actual expenses were \$127,796.43, a difference of \$5,103.57 under budget. The net income therefore was \$17,873.85. Finley pointed out that about 95% of the income was from renewals, which was expected. Schramm then reported that a \$550 deposit was made in error to the savings rather than the checking account at Campus Federal Credit Union. He explained it would be up to the board if that deposit needs to be moved to checking as it was intended to be. He added he saw no problem leaving it in the savings account. Finley

agreed but asked Macon to check with the board's accountants to see if the funds should be moved back to checking. Hoover asked if the checking account earns interest; Finley responded that it does not. Discussion ensued. Schramm then introduced a spreadsheet that shows expenses by category. In particular, he drew attention to an issue he wanted to clarify: In April 2019, the rent was paid twice. He explained that the first payment was on the April due date; the second was an automatic ACH error that was credited as the rent payment for May. Then, in May, a payment was made for June, and in June, a payment was made for July. Schramm then turned to a chart of expenses and deposits over time and explained that the one spike on the chart indicates the transfer of \$50,000 to savings in March 2019. Discussion ensued, with the acknowledgment that board members are beginning to travel more frequently in support of the board. Finley called for approval of the treasurer's report. Williamson moved to approve; Stiegler seconded; Finley called for discussion; none was forthcoming. Finley called a vote to approve the report; the report was approved unanimously.

Standing Committees

Application Review Committee: Chair Melanie Stiegler reported that three candidates applied for Professional Geoscientist licenses; all – 1, 2, and 3 – were recommended for approval. She further reported that the committee had one applicant who passed the ASBOG FG exam in Mississippi and had applied to transfer the GIT certification from Mississippi to Louisiana; she said the applicant, 1, is recommended for approval. Also, nine candidates – one to take the Practice of Geology exam only, one to take both the Practice of Geology and the Fundamentals of Geology exams, and seven to take the Fundamentals of Geology exam only – had applied to take these ASBOG exams on October 4, 2019. Stiegler reported that all – 1, 2, 3, 4, 5, 6, 7, 8, and 9 – are recommended for approval. Stiegler moved to approve these candidates for licensure and testing; Schramm seconded the motion; the motion passed.

Stiegler asked where the exams would be given; Macon responded that the exams would be given at the Galvez Building with LDEQ hosting. Finley asked about the hours of the exam; Macon responded that candidates are asked to be at the testing site no later than 7:30 am for the Fundamentals of Geology exam, which is administered from 8 am until noon, no later than 12:30 pm for the Practice of Geology exam, which is administered from 1 pm until 5 pm. Schramm asked if another proctor is needed; Macon indicated that having an additional proctor would be helpful. Schramm offered to check his schedule and serve as a proctor if he is available.

Stiegler then brought up for discussion the need for better communication with universities, especially with students, about testing and licensing. She explained that a recent discussion she had with her students at UNO revealed a lack of awareness among them, even those who are juniors and seniors. She suggested creating flyers to be distributed at state universities and posters to be distributed to university geoscience departments and faculty. Discussion ensued. Williamson suggested contacting ASBOG for information they have on hand; Macon agreed and offered to contact ASBOG, to work with Stiegler on creating a flyer to be distributed, and to research other ways to increase student awareness. She also mentioned getting the geological societies involved in more actively reaching students. Schramm suggested creating a poster to be distributed to university geoscience departments and having board members speak at student events. Finley suggested making sure whatever was distributed had the board's contact information so students can ask questions by email or phone. Discussion continued.

License Examination Committee: Williamson reminded board members that the ASBOG testing date is October 4, 2019 and that nine candidates had just been approved to take the exams that day. Discussion of whether a licensee who takes the FG exam and fails it will be penalized in any way ensued. The board

unanimously agreed that licensees who take the exam and fail will not be penalized; in fact, all agreed that taking the exam could help licensees to discover areas in which to seek continuing education.

Compliance Committee: In Chairman Perry's absence, committee member Schramm reported that the audit letters are held up awaiting the committee chair's approval. Finley asked Macon to contact Perry and ask for his approval of those letters. Vorhoff reported that the seal rules final approval is awaiting the next meeting of the Occupational License Review Commission. He said if the rules are not given final approval by the end of the year, the process may have to begin again. Vorhoff said he would follow up.

Office Committee: Macon reported that two Dell workstations have been ordered in two separate transactions: The first was ordered June 25, shipped on June 27, and was delivered July 8; the second was ordered July 3 and is scheduled to arrive around July 15.

She also informed the board that, at Schramm suggestion, she had been regularly attending meetings of the Baton Rouge Geological Society and will attempt to be at four meetings per year. She said she would like to attend meetings of the other three societies in the state periodically but would like to coordinate with those board members who are also members of those societies regarding whether her attendance would be beneficial and to determine the best times to attend.

She also reported that, in a brief discussion with Sentell, she discovered LAPELS visits universities around the state and makes presentations. She suggested, related to Stiegler's request for materials to communicate to geoscience students about testing and licensure, she could make presentations at those schools with geoscience programs.

Macon also reported that she spoke with Rusty Branch, who is a vice president of Gehrig, Inc., a geophysical services company in Muenster, Texas, and who has recently been involved in creating a 501(C)6 umbrella organization composed of the Texas geological societies, particularly those in Houston, San Antonio, and Dallas/Fort Worth, and the Association of Environmental and Engineering Geologists (AEG). The group, called the Texas Geoscience Council, organized last fall after the Texas Sunset Commission report was released in an effort to raise funds to support the geoscience profession and geoscience licensure and to enable the various groups to lobby their legislature regarding the importance of geoscience to the state of Texas. With the help of AEG, which contributed \$20,000 to get the organization started, the group raised enough money to pay an attorney and a lobbyist and has set up a website. The URL is www.txgeoscience.org, and the site provides an opportunity to sign up for updates by email. Shortly after she spoke with Branch, she said, she was contacted by Jeff Neathery, the director for Region 6 (Texas) of AEG, who told her the Lower Mississippi Valley Chapter, which currently covers Louisiana, was approved to be reorganized by the AEG board at its April meeting. He mentioned that several Louisiana AEG members had requested better access to meetings, which were previously held on weeknights in a few places in central Mississippi. With the reorganization, the chapter will hold meetings on Saturdays, will provide field trips and other continuing education opportunities, and will move the meeting locations geographically to enable more people to attend.

Macon reported that the contract with L.A. Champagne & Co., LLP for accounting services for the new fiscal year was ready for board discussion. Once approved, it would require the signature of the board chair. Hoover asked if the board would be liable to pay the entirety of the contract amount in the event something happens and the board no longer exists. Finley explained that the contract has a maximum amount but the vendor only charges for services rendered. Once the board no longer exists, no services would be rendered, so no additional payments would be made. After a brief discussion, Schramm moved to approve the contract. Stiegler seconded. Finley called for additional discussion; none was forthcoming.

Finley called for a vote; the motion passed unanimously. Finley then signed the contract; Schramm and Williamson signed as witnesses.

She then reminded board members that she will be working on a series of articles on LSU geoscience research in August and September and would like to move on to other university research programs in October and November. She asked the board members for their suggestions for contacts at universities in their areas. She also reminded board members to take the state's online ethics refresher and to send her a copy of their certificates. She also mentioned that, if any of the board members had not yet completed their annual financial disclosure forms to the state, they should do so as soon as possible because the deadline was May 15. Schramm mentioned that the state now requires those who rent vehicles on the state contract must take a defensive driving course. Finally, Macon announced that ASBOG's fall meeting will be held in Minneapolis, Minnesota, during the week of November 4, 2019. Finley said he plans to attend the business meeting but may not be able to stay for the Council of Experts (COE) Workshop. Stiegler said her schedule would not permit her to attend the business meeting but that she would be able to attend the COE Workshop. Finley suggested he attend the first half of the weeklong meeting and Stiegler attend the workshop. He asked Macon to attend the administrators workshop and business meeting as well.

Legal Comments

Finley asked if Vorhoff had additional comments for the board; Vorhoff did not.

Other Business

Finley asked board members to make meeting attendance a priority. The board currently has seven seated members. He stressed the need for attaining a quorum of five members and asked if the statute requires a quorum of all members or all seated members. After reading the applicable portion of the statute aloud, Vorhoff advised that it would be best to interpret a quorum to consist of a majority of all seats, whether filled or not. He cited a recent court ruling regarding the interpretation of what properly constitutes a board. Schramm asked if a vacancy on the board could be filled outside of a legislative session. Vorhoff explained that a member could be appointed by the governor and could sit on the board as a member but would have to be confirmed by the legislature in its next session; if not confirmed, that person would no longer be a member. Discussion ensued. Finley then introduced the issue of board business that is critical to its mission, e.g., decisions on license applications, that may not be handled in a timely way if the board cannot meet because a quorum of members are not available. He suggested that the committee may be able to make those decisions without a full board meeting. He asked Vorhoff if committee actions can be binding outside of a full board meeting. Sentell explained that the LAPELS board formally approves all committee actions at the end of each full board meeting so the committees have authority to conduct business. Vorhoff suggested that the board formally delegate authority to the committees to conduct business outside of the full board meeting in advance of that work. He then responded to several questions from board members about this process. Vorhoff asked how committees conduct business currently. Stiegler responded that her committee never actually meets; each of the three members reviews a third of the applicants and reports at the meeting. Additional discussion ensued.

Finley also asked board members to be thinking of ways to enlist new members to fill the two vacancies the board currently has. Hoover asked about the progress of locating potential candidates for board membership. According to the statute, the board consists of nine members, at least one from each of the six congressional districts; of the nine members, six shall be licensed professional geoscientists, one shall

be a licensed engineer, two shall be members of the public. Discussion ensued, with some confusion about what categories the two vacancies should represent and all agreeing that filling those vacancies is a high priority.

Schramm also asked if the meetings should be changed from the second Tuesday to the third Tuesday of odd numbered months to assure that the office staff and he have the bank statements in time to create the treasurer's report. Discussion ensued.

New Business

Finley introduced the issue of clarifying the board's authority. He explained that this issue has arisen because the board has reached a point at which its initial function – creating a system for allowing applications, reviewing them, and making decisions regarding licensure – has become established. He asked if the board has a responsibility to review and identify projects that may require geoscience input. He extrapolated that, because the areas of licensing authority are in environmental and engineering geoscience, he anticipates that those projects would be limited to environmental and some engineering areas where the subsurface plays a factor. He used as an example Phase II ESAs. He said it may be beneficial for the board to have the authority to review and perhaps make recommendations regarding the requirement for geoscience work by licensed PGs on those projects. He continued to explain that those reports are sent to state government agencies for review, and he suggested those reviewers should be required to be licensed PGs. He also mentioned the imminent release of a state geohazards map, which may identify places where engineering or environmental projects are underway that may require board attention. He suggested these areas may require expanding the board's role. Schramm asked about the recently requested legal opinion from the Attorney General; Vorhoff announced that task had been assigned to him, and he is working on it and plans to have a report ready for the September meeting. Stiegler asked how the engineering board handles the issues Finley brought up; Hoover responded that the board can disseminate information. Discussion ensued.

Williamson brought to the attention of the board that ASBOG had sent a report created by the American Geosciences Institute (AGI) regarding the Critical Needs Document they develop every 4 years to help educate lawmakers. ASBOG had been asked for feedback and forwarded the document for input from member boards. Finley asked if this was a recent message; Macon mentioned that the report had been sent to the entire board. Finley asked board members if they were aware of the release of the geohazards map; discussion of the Louisiana geohazards map and its potential continued.

Adjourn

Discussion of moving the date of the meeting to the third Tuesday continued. The consensus was that the date should be fixed and should remain the second Tuesday of odd months but the issue will be revisited in future if the need arises. The date of the next regular meeting of the board will be Tuesday, September 10, 2019, at 1:00 pm. Stiegler moved to adjourn the meeting; Schramm seconded. The motion passed. Finley adjourned the meeting at 3:43 p.m.